

where it was used in the manufacture of a product consisting of a mixture of cottonseed oil with little or no olive oil. Such product was shipped by the Marconi Olive Oil Co., to Somerville, Mass., in cans labeled as described below.

**LABEL IN PART:** (Can) "One Gallon Imported Product 100% Pure Olive Oil Marconi Brand Packed by Marconi Olive Oil Co."

**LIBELED:** 4-24-57, Dist. Mass.

**CHARGE:** 402 (b) (2)—while the article was held for sale, cottonseed oil with little or no olive oil had been substituted for olive oil; 402 (b) (4)—cottonseed oil had been added to the article or mixed or packed with it so as to increase its bulk or weight and reduce its quality; and 403 (a)—the label statement "Imported Product \* \* \* Pure Olive Oil" was false and misleading.

**DISPOSITION:** 6-8-57. Default—delivered to a charitable institution for its use, and not for sale.

**24243. Olive oil.** (F. D. C. No. 40554. S. No. 68-653 M.)

**QUANTITY:** 9 cases, 6 cans each, at Brooklyn, N. Y.

**SHIPPED:** 5-7-57, from West New York, N. J., by Lionelli Packing Co.

**LABEL IN PART:** (Can) "One Gallon Net Imported Produce Lionelli Superfine Olive Oil Guaranteed 100% Pure."

**RESULTS OF INVESTIGATION:** Examination showed that the article was short volume.

**LIBELED:** 8-12-57, E. Dist. N. Y.

**CHARGE:** 403 (e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

**DISPOSITION:** 10-25-57. Default—delivered to a charitable institution for its use, and not for sale.

**24244. Hydrogenated cottonseed oil.** (F. D. C. No. 40540. S. No. 64-387 M.)

**QUANTITY:** 63 400-lb. drums at Coraopolis, Pa.

**SHIPPED:** Between November, 1956 and January 24, 1957, from East St. Louis, Ill.

**LIBELED:** 8-9-57, W. Dist. Pa.

**CHARGE:** 402 (a) (3)—contained paint flakes, metal particles, dirt, insect parts, rodent hairs, and rodent excreta pellets while held for sale.

**DISPOSITION:** 10-25-57. Consent—claimed by A. C. Co., Coraopolis, Pa., and converted into inedible rendered grease.

**24245. Edible oil.** (F. D. C. No. 40619. S. No. 72-206 M.)

**QUANTITY:** 3 cases, each containing 6 cans, and 6 additional cans at Benton Harbor, Mich.

**SHIPPED:** 7-10-57, from Chicago, Ill., by Chicago Macaroni & Food Products Co.

**LABEL IN PART:** (Case) "6-1 Gal. Italy Brand Table Oil Blend \* \* \* 20% Olive Oil 80% Corn Oil," and (can) "One Gallon \* \* \* Italy Brand \* \* \* Table Oil \* \* \* An excellent composition of eighty per cent corn oil and twenty per cent imported olive oil guaranteed."

**RESULTS OF INVESTIGATION:** Examination showed that the article was vegetable oil with little or no olive oil present.

**LIBELED:** 8-28-57, W. Dist. Mich.

**CHARGE:** 402 (b) (1)—a valuable constituent, olive oil, had been in whole or in part omitted from the article when shipped.

**DISPOSITION:** 10-11-57. Default—delivered to a charitable institution for its use, and not for sale.

## OLEOMARGARINE

**24246. Colored oleomargarine.** (F. D. C. No. 40454. S. No. 33-601 M.)

**INFORMATION FILED:** 12-20-57, W. Dist. Mo., against Jack Massey t/a Massey's Cafe, Liberty, Mo.

**ALLEGED VIOLATION:** On 2-14-57, at Liberty, Mo., the defendant unlawfully possessed and served quantities of colored oleomargarine or colored margarine.

**CHARGE:** 407 (c)—colored oleomargarine or colored margarine was possessed at a public eating place, namely, Massey's Cafe, in a form ready for serving, and no notice that oleomargarine or margarine was being served was displayed; and colored oleomargarine or colored margarine was served at a public eating place, namely, Massey's Cafe, in a separate serving which neither bore, nor was accompanied by, labeling identifying it as oleomargarine or margarine, and which was not triangular in shape.

**PLEA:** Guilty.

**DISPOSITION:** 12-20-57. \$50 fine, plus costs.

**24247. Colored oleomargarine.** (F. D. C. No. 40431. S. No. 62-299 M.)

**INFORMATION FILED:** 12-12-57, E. Dist. N. Y., against A. & A Food Service, Inc., Brooklyn, N. Y., and Seymour Ross, manager.

**ALLEGED VIOLATION:** On 3-2-57, the defendants unlawfully sold and offered for sale a number of packages which contained colored oleomargarine and which were labeled "It's Farm Crest Brand Lightly Salted Creamery Butter 4 Oz. Net It's Graded AA It's 93 Score Distributed by AFPCO, New York, New York."

**CHARGE:** 407 (b) (3)—the label of the article failed to bear (a) the word "oleomargarine" or "margarine" and (b) a full and accurate statement of all the ingredients contained in such colored oleomargarine.

**PLEA:** Guilty.

**DISPOSITION:** 1-10-58. Corporation fined \$500, and individual sentenced to 9 months in prison.

## SPICES, FLAVORS, AND SEASONING MATERIALS

**24248. Mustard seed cake.** (F. D. C. No. 40227. S. No. 14-594 M.)

**QUANTITY:** 54 100-lb. bags at St. Louis, Mo., in possession of Halben Food Mfg. Co., Inc.

**SHIPPED:** 12-24-55, from Sunburst, Mont.

**LIBELED:** 4-23-57, E. Dist. Mo.

**CHARGE:** 402 (a) (4)—held under insanitary conditions.

**DISPOSITION:** 5-20-57. Default—destruction.

**24249. Poppyseeds.** (F. D. C. No. 40380. S. No. 14-567 M.)

**QUANTITY:** 10 110-lb. bags at St. Louis, Mo., in possession of W. E. Beckmann Co.

**SHIPPED:** 4-15-57, from New York, N. Y.